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Black Caucus battles to get rights restored

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BODY:

In an unusually passionate debate, Maryland's black senators took the floor yesterday to urge their colleagues to pass a bill that would restore voting rights to many of the state's convicted felons.

The Legislative Black Caucus has made the bill one of its top priorities, saying the law disfranchising people convicted of two or more crimes is part of a racist legacy that sought to keep African-Americans out of the voting booth.

"We don't want to go back to Jim Crow. We don't want to go back to poll taxes. We don't want to go back to literacy tests," said Sen. Joan Carter Conway, a Baltimore Democrat.

But Republicans offered an equally spirited defense of the law and argued that changing it would send the wrong message. They also vowed to make the proposal an issue in this fall's election by portraying Democrats as being soft on crime.

"In my district, it is pretty clear: Certain people should never stop paying for their sins," said Sen. Timothy R. Ferguson, a Frederick County Republican.

Maryland is one of 12 states that deny ex-offenders the right to vote, a concept that critics say dates to the Jim Crow era when Southern states sought ways to keep African-Americans from voting.

Currently, anyone convicted of two felonies or other "infamous crimes" - which include writing bad checks, using a false identification and kicking a horse - is forever denied the right to vote.

Vote likely to be close

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The Senate is considering a proposal that would repeal that law except for felons who have twice been convicted of violent crimes such as murder or rape. A final Senate vote on the bill - which could be one of the closest of the legislative session - is scheduled for early next week.

Last week, the House passed a similar bill 85-55. That proposal would restore voting rights even to people convicted of violent crimes.

The efforts of the black caucus are part of a nationwide campaign to repeal laws that deny ex-offenders the right to vote.

According to the American Civil Liberties Union, 15.4 percent of black men in Maryland are disfranchised because they have been convicted of two crimes. It is estimated that about 60,000 people - including 12,000 in Baltimore - would regain their right to vote if the House legislation is passed.

"When these people come out (of prison,) you want them to accept responsibility and take care of their kids," said Sen. Ulysses Currie, a Prince George's Democrat. "Voting is part of that responsibility."

Currie and most of the state's nine black senators pleaded yesterday with moderate and conservative Democrats - even those who oppose the bill - to join them in repelling Republican attempts to amend it.

At one point, Sen. Nathaniel J. McFadden of Baltimore said it was time for conservative Democrats to repay black senators for agreeing to support a 2 percent tax cut this year.

General Assembly leaders wanted to keep the tax cut in place, despite the subsequent reduction in spending for social programs, because they worried that delaying it would hurt re-election prospects for rural Democrats.

"Your African-American senators have taken tough votes when you asked us not to delay that 2 percent tax cut. ... We wanted to save our Democratic colleagues," said McFadden. "I'm now going to make this political. Our time has come on this bill."

Crippling amendments

Republicans offered more than a half-dozen amendments that attempted to bar felons convicted of violent crimes from voting, even after a first conviction. That was the law until 1974, when lawmakers changed it to say two convictions were needed before someone lost his voting rights.

"The one who was murdered no longer has a right to vote," said J. Robert Hooper, a Harford County Republican. "Are we saying the one who spent time in prison has more rights than the one who was murdered?"

At one point in the debate, some senators became alarmed because they worried about the rhetoric being used. "There have been some words on this floor that make me uncomfortable," said Sen. Thomas L. Bromwell, a Baltimore County Democrat.

Opposition ahead

In the end, a unified Democratic caucus defeated the Republican amendments. But Bromwell and some other moderate and conservative Democrats said they plan to vote against the bill next week so their opponents can't use it against them in the election.

"I plan to vote against it because of where I come from," said Bromwell, referring to his Perry Hall district.

Conway said she believes she has precisely the minimum 24 votes needed to pass the bill. Gov. Parris N. Glendening has said he would sign the Senate bill if it is approved by the legislature.

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Even if the measure is approved, Republican leaders said they plan to gather enough signatures to force a referendum on the issue this November.

"We think the proposal dramatically illustrates the difference between Democrats and Republicans," said Alfred W. Redmer Jr., a Baltimore County Republican and House minority leader.

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